

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA**

FISHER, P.A., individually and on behalf of all  
others similarly situated,

Plaintiff,

v.

BANK OF AMERICA, N.A., FIFTH THIRD  
BANK, FIRST CITIZENS BANK & TRUST  
COMPANY, TRUIST BANK, WELLS FARGO  
BANK, N.A., COMMUNITY FIRST BANK,  
INC., AND FIRST CITIZENS BANCSHARES,  
INC.

Defendants.

Case No. 3:20-cv-00405-RJC

**STIPULATION OF DISMISSAL**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Fisher, P.A. and Defendants Bank of America, N.A., Fifth Third Bank, First Citizens Bank & Trust Company, Truist Bank, Wells Fargo Bank, N.A., and Community First Bank hereby stipulate and agree that this action be dismissed with prejudice, with each party to bear its own fees and costs.

*[Signatures appear on following page]*

Dated: January 13, 2021

/s/ T. Ryan Langley

T. Ryan Langley (N.C. Bar No. 51273)  
Hodge & Langley Law Firm, PC  
229 Magnolia Street  
Spartanburg, SC 29306  
(864) 585-3873  
rlangley@hodgelawfirm.com

Harmeet K. Dhillon (*pro hac vice*)  
Nitoj P. Singh (*pro hac vice*)  
Dhillon Law Group Inc.  
177 Post St., #700  
San Francisco, CA 94108  
(415) 433-1700  
harmeet@dhillonlaw.com  
nsingh@dhillonlaw.com

*Attorneys for Plaintiff Fisher, P.A.*

/s/ Jason D. Evans

Jason D. Evans (N.C. Bar No. 27808)  
Troutman Pepper Hamilton Sanders LLP  
301 S. College Street, Suite 3400  
Charlotte, NC 28202  
(704) 998-1502  
jason.evans@troutman.com

Brendan P. Cullen (admitted *pro hac vice*)  
Sullivan & Cromwell LLP  
1870 Embarcadero Road  
Palo Alto, CA 94303-3308  
(650) 461-5600  
cullenb@sullcrom.com

Christopher M. Viapiano (admitted *pro hac vice*)  
Sullivan & Cromwell LLP  
1700 New York Ave., N.W., Suite 700  
Washington, DC 20006  
(202) 956-7500  
viapianoc@sullcrom.com

*Attorneys for Defendant Wells Fargo Bank, N.A.*

/s/ Craig Schauer

Craig Schauer (N.C. Bar No. 41571)  
Brooks, Pierce, McLendon, Humphrey &  
Leonard, LLP  
1700 Wells Fargo Capitol Center  
150 Fayetteville Street  
Raleigh, NC 27601  
Telephone: (919) 573-6206  
Facsimile: (336) 232-9186  
cschauer@brookspierce.com

*Attorney for Defendant Community First  
Bank, Inc.*

/s/ Clifton L. Brinson

Michael W. Mitchell (N.C. Bar No. 16750)  
Clifton L. Brinson (N.C. Bar No. 34331)  
Jang H. Jo (N.C. Bar No. 35686)  
Smith, Anderson, Blount, Dorsett, Mitchell &  
Jernigan, L.L.P.  
2300 Wells Fargo Capitol Center  
Post Office Box 2611  
Raleigh, NC 27602-2611  
Telephone: (919) 821-1220  
Facsimile: (919) 821-6800  
mmitchell@smithlaw.com  
cbrinson@smithlaw.com  
jjo@smithlaw.com

*Attorneys for Defendants First Citizens Bank &  
Trust Company and First Citizens Bancshares,  
Inc.*

/s/ Bradley R. Kutrow

Bradley R. Kutrow  
McGuireWoods LLP  
201 North Tryon Street  
Suite 3000  
Charlotte, NC 28202  
Telephone: (704) 343-2049  
Facsimile: (704) 343-2300  
bkutrow@mcguirewoods.com

*Attorney for Defendant Truist Bank*

/s/ Victor A. Walton, Jr.

Victor A. Walton, Jr.  
Vorys Sater Seymour and Pease LLP  
301 East Fourth Street, Suite 3500  
Cincinnati, OH 45202  
(513) 723-4027  
vawalton@vorys.com

*Attorney for Defendant Fifth Third Bank*

/s/ Fielding E. Huseth

Fielding E. Huseth  
Hillary C. May  
James Patrick McLoughlin, Jr.  
Moore & Van Allen PLLC  
100 N. Tryon Street, Suite 4700  
Charlotte, NC 28202  
(704) 331-3562  
fieldinghuseth@mvalaw.com  
hillarymay@mvalaw.com  
jimmccloughlin@mvalaw.com

Enu A. Mainigi (admitted *pro hac vice*)  
Kenneth C. Smurzynski (admitted *pro hac vice*)  
Craig D. Singer (admitted *pro hac vice*)  
Jesse T. Smallwood (admitted *pro hac vice*)  
Williams & Connolly LLP  
725 Twelfth Street, N.W.  
Washington DC 20005  
Telephone: (202) 434-5000  
Facsimile: (202) 434-5029  
emainigi@wc.com  
ksmurzynski@wc.com  
csinger@wc.com  
jsmallwood@wc.com

*Attorneys for Defendant Bank of America, N.A.*